

Minutes of the Board of Trustees of the Fox River Water Reclamation District held on Monday, June 18, 2018 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Bruce Corn, Vice President Benjamin Bernal, Trustee Steve Rauschenberger, and Trustee Marty McCormack.

Staff present included Executive Director Bob Trueblood, Technical Services Director Beth Vogt, Finance Manager Nazer Uddin, Assistant Clerk Kim Narvaiz, and Attorney Doug Scheflow.

President Corn called the meeting to order at 9:00 A.M.

**APPROVAL OF MAY 14, 2018 BOARD OF TRUSTEES MINUTES**

Trustee Bernal made a motion, seconded by Trustee Corn, to approve the May 14, 2018 minutes as written. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**APPROVAL OF BOTH MAY 14, 2018 EXECUTIVE SESSION MINUTES**

Trustee Bernal made a motion, seconded by Trustee Rauschenberger, to approve both the May 14, 2018 Executive minutes as written. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**PUBLIC COMMENT**

None

**APPROVAL OF CASH DISBURSEMENTS**

President Corn read aloud the cash disbursement totals per fund. Disbursements for the Sewer Revenue Fund \$830,499.58, Depreciation & Replacement \$297,285.50, and Skyline \$2,802.08.

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve the Cash Disbursements as presented. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**REVIEW OF CONNECTION PERMITS**

TSD Vogt reported that staff issued three commercial, one public building and one single family permit between meetings. As there were no irregularities, staff recommended approval.

Trustee Bernal made a motion, seconded by Trustee Rauschenberger, to approve the Connection Permits as issued. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

### **REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Executive Director Trueblood presented three purchases orders to the Board. The first one made out to Enhanced Networks in the amount of \$66,090 for the 2018-2019 IT support contract that was previously approved by the board. The second purchase order was to Polydyne for an order of eight polymer totes, which is at the contract agreement pricing. The last purchase order was to Gasvoda & Associates for a Grinder Rebuild Kit for Pump Station 37. Trustee Rauschenberger asked if staff installed the kit themselves. Executive Director Trueblood responded yes, the maintenance crew took the grinder out, rebuilt it and then reinstalled it.

### **FOIA REQUESTS**

Executive Director Trueblood reported there were four FOIA requests since the last meeting. All requests were answered within the required amount of time. The requests were as follows:

1. Loren J. Bialik, President - Mazel Equities National Associates:
  - Unclaimed or outstanding checks
  - All unclaimed bonds and bond proceeds
2. Eoin Burke
  - Requesting copy of current electric supply agreement.
  - Requesting copy of current and past contracts with Brubaker & Associates (energy consulting).
3. Glenn4 Oliver
  - Information on the waterworks (or sewer) parts and equipment purchases that are regularly purchased but the dollar amounts are generally too small for a formal bids.
4. Dan McLaughlin
  - Who the General contractor was awarded this particular project (ADP Excess flow project) list of subs and their sub-contractors and the bid amount.

### **OLD BUSINESS**

### **MOTION TO APPROVE – DEVELOPMENT AGREEMENT WITH BLUFF CITY, LLC REGARDING THE 60-ACRE PARCEL AND MIDDLE STREET PUMP STATION**

Trustee McCormack made a motion, seconded by Trustee Rauschenberger, to approve the Development Agreement with Bluff City, LLC regarding the 60-acre parcel and Middle Street Pump Station. Trustee Bernal asked if there will be a recapture agreement. TSD Vogt responded

yes they will want to set one up to recover some of their costs as others connect to the system in the future. Trustee Rauschenberger asked who put in the temporary pump station. TSD Vogt responded that Bluff City did via a previous development agreement.

There were no further questions; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

### **NEW BUSINESS**

#### **MOTION TO APPROVE – RESOLUTION 490- FRWRD INVESTMENT AND BANKING POLICY AND PROCEDURE UPDATE**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to approve Resolution 490 as presented. Trustee Rauschenberger asked what was changed on this resolution from the previous one. Finance Manager Uddin responded that MB Financial Bank was removed from authorized financial institutions due to their inability to respond to requests. Also, Technical Services Director Vogt was added as an authorized signatory on all bank accounts. Trustee Rauschenberger asked if there were any changes in the collateralization. FM Uddin responded no.

There were no additional questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

#### **MOTION TO APPROVE – LABORATORY SERVICE AGREEMENT WITH PERKIN-ELMER**

Trustee Bernal made a motion, seconded by Trustee Rauschenberger, to authorize Executive Director Trueblood to sign a purchase order for \$19,368 for the service agreement from Perkin Elmer for the Inductively Coupled Plasma Optical Emission Spectrometer (ICP-OES) and the Graphite Furnace Atomic Absorption Spectrometer (GFAAS) purchased in 2012.

There was no discussion, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

#### **MOTION TO RECEIVE – MANAGEMENT ASSOCIATION’S FINAL MARKET BENCHMARKING & COMPENSATION STRUCTURE DEVELOPMENT PROJECT REPORT**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to receive the Market Benchmarking & Compensation Structure Development Project report as final. Trustee Rauschenberger asked where they came up with the figures they used. Executive Director Trueblood explained that certain geographical areas were weighted differently balancing out MWRD with other districts downstate. The job descriptions were also updated by staff for their use. ED Trueblood commented that there are some parts that are a little too dependent on a

calculated value where it skewed some positions a bit, but overall he is pleased with the results as it has provided the District with valuable information and data to use. Trustee Bernal asked Human Resources Manager Fran Venegas her opinion on the study and the company. HRM Venegas responded that she thought the company was easy to work with and answered questions well and in a timely matter.

Trustee Rauschenberger commented that he thinks the survey bunched everything too tightly together and the starting pay scales appear to be high. ED Trueblood did agree that it may be a little tight as each grade is a specific percentage over the previous one. Trueblood explained that the District has recently lost a few good employees who left to accept similar positions for more money. Trustee Bernal asked how benefits came into play in the study. ED Trueblood responded that they did not include benefits in the study, just salary. The District used to have an excellent benefits package that was very attractive even if the salary was a little lower, but over the past few years as the benefits have been reduced and salaries haven't been adjusted, there is less incentive for long term employment with FRWRD, particularly over another IMRF employer. Trustee Rauschenberger reiterated his concern on the tight pay scale noting the example that an assistant clerk would be at over \$20 an hour and an experienced electrician would only be \$10 more than that.

After further discussion, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – FY 2018/2019 STAFF SALARY INCREASE - CPI**

Trustee Bernal made a motion, seconded by Trustee Rauschenberger, to authorize FRWRD employees to receive a salary increase of 2.1% effective June 17, 2018.

There were no questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO AUTHORIZE – MARKET BENCHMARKING & COMPENSATION STRUCTURE DEVELOPMENT PROJECT REPORT SALARY ADJUSTMENTS**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to authorize Executive Director to make reasonable and appropriate salary adjustments for employees based on the Market Benchmarking & Compensation Structure Development Project report. Trustee Rauschenberger asked how much is in the pool. ED Trueblood responded that the budget allowed for up to 5% across the board so the balance after the approved 2.1% is about \$150,000 to be distributed using the current study as a guideline.

There were no additional questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

President Corn called a 10-minute break at 10:05 A.M.

**MOTION TO APPROVE – ORDINANCE 905- 2018 PREVAILING WAGE RATES**

Trustee McCormack made a motion, seconded by Trustee Corn, to approve Ordinance 905 – 2018 Prevailing Wage Rates as presented.

There was no discussion; President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**DISCUSSION ONLY – PERSONNEL POLICY HANDBOOK**

Executive Director provided all board members with a copy of an updated draft Personnel Policy Handbook. ED Trueblood commented that HR Manager Fran Venegas provided a summary of the changes for Board members to review. Many of the changes were to include or update policies as laws have changed since the handbook was last updated. Examples include FMLA, Sick Leave and Non-Discrimination and Anti-Harassment Policy. Other changes include a new On-Call pay policy and changing how personal time is accrued. Trustee Rauschenberger asked if staff has thought about switching to PTO instead of Vacation, Sick, and Personal time. ED Trueblood responded that making that switch would be challenging because of IMRF and how they allow the exchange of sick time for an extra service year. HR Manager Venegas also commented that while PTO is more popular in the private work sector in the public time is still most often split into the different groups. There was some further discussion before ED Trueblood stated that he would like to see the Personnel Policy Handbook approved at the next meeting if board members did not have any changes or additions.

**MOTION TO APPROVE – CHANGE ORDER NO. 1 FOR PUMP STATION 40 REPLACEMENT PROJECT**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to approve the time extension request for the Pump Station 40 Replacement and Forcemain Repair Project to H. Linden and Sons Sewer and Water Inc.

There were no additional questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – RESOLUTION- ESTABLISHING INVESTMENT ACCOUNTS WITH ST. CHARLES BANK & TRUST CO.**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to approve the resolution establishing investment accounts with St. Charles Bank & Trust Co. and related signature card as presented. Trustee Corn asked how the investment bank is chosen. ED Trueblood responded that FM Uddin e-mails out the investment the day before and the banks respond back

with rates and terms. Then ED Trueblood picks the option with the best rate/terms to maintain competition.

There were no additional questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – PUMP STATION 31 FORCEMAIN REPLACEMENT  
PROJECT EASEMENT AGREEMENTS WITH METRA**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to authorize Executive Director Trueblood to sign the Pump Station 31 Forcemain Replacement Project Easement Agreements with Metra. TSD Vogt pointed out that it is two separate agreements; one for the fiber optic easement and the other for the pipeline easement. Attorney Scheflow asked if there will be an annual license fee. TSD Vogt responded, she's sure there will be and that Metra will send an invoice annually.

There were no additional questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – GRANT OF EASEMENT FROM FOREST PRESERVE OF  
KANE COUNTY**

Trustee Rauschenberger made a motion, seconded by Trustee McCormack, to approve the Grant of Easement from Forest Preserve of Kane County.

There were no questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – GIS ASSESS AND DEFINE AGREEMENT WITH SIDWELL**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, that Executive Director Trueblood be authorized to sign the GIS Assess and Define agreement with Sidwell for a fee of \$13,400. TSD Vogt commented that this is the consulting agreement with Sidwell, not the actual software and training agreement.

There were no questions, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to table this item until after Executive Session. President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

### **FINANCE MANAGER'S REPORT**

Finance Manager Uddin provided Board Members with the financial report for period ending April 30<sup>th</sup>. FM Uddin reported that revenue was better than expected compared to last year and operating expenses were higher than last year but under control and right on target with the budget. Additionally FM Uddin reported that the Fiscal Year 2018 audit is under way this year with new auditors Baker Tilly. The preliminary fieldwork has already been completed. A copy of the Audit schedule was provided for board members.

### **TECHNICAL SERVICES REPORT**

TSD Vogt reported that she, ED Trueblood and Laboratory Manager Jack Russell attended a meeting with the IEPA NPDES Permit Section leadership on May 17<sup>th</sup> in Springfield regarding reasonable implementation schedules for the North and ADP WRF phosphorus removal projects. TSD Vogt commented that the representatives from the IEPA appeared open to changing the schedule and the meeting was productive.

Additionally, TSD Vogt also reminded the Board Members of the upcoming WEFTEC Conference that will be held this year in New Orleans from September 29<sup>th</sup> -October 3<sup>rd</sup>. Several staff members will be attending this year and if any Board members would like to attend, they should let ED Trueblood or TSD Vogt know by the beginning of July so registrations can be paid by the early deadline if possible.

### **STAFF REPORT OF ONGOING STUDY, DESIGN AND CONSTRUCTION PROJECTS**

TSD Vogt provided a written update on all projects. TSD Vogt reported that the Pump Station 31 Forcemain project is currently out to bid with bids due June 26<sup>th</sup> at 2pm. Also the Sludge Transfer Forcemain Project is officially on hold till fall when work can proceed in the wetland and river areas per the IDNR restrictions. Lastly, Pump Station 31 Replacement Project with Thieneman Construction had its kick off meeting on June 14<sup>th</sup>. Vogt advised that staff will be distributing a mailer to the residents of Lower Wellington notifying them of the construction and to be alert as there will be more traffic than usual on the streets as construction trucks come in and out. Trustee Bernal asked if staff will use a street sweeper to ensure the streets are cleaned up after. TSD Vogt responded that the contractor is responsible keeping debris and dust off the roads but that staff will monitor to see that the streets stay cleaned up.

### **EXECUTIVE DIRECTOR'S REPORT**

ED Trueblood provided a written report including information on FRWRD's rate increase press release and the upcoming IAWA Technical Committee Meeting on July 13 where ED Trueblood will be a speaker regarding OSHA Compliance. ED Trueblood mentioned that he and staff are continuing to work on a solution to replace the chlorine system at the West Plant.

Previously the board had approved a design plan with Strand Associates for this project but after further review, Trueblood decided to take a different approach and has asked Trotter & Associates to look at a design solution. In the meantime, Alexander Chemical, who is the Districts current supplier for chlorine, has agreed to short fill containers to allow the District to remain compliant. ED Trueblood also reminded all Board members of the mandatory Harassment and Discrimination Awareness training that will take place at the conclusion of the next board meeting on July 16<sup>th</sup>.

**ATTORNEY'S REPORT**

Attorney Schefflow provided copies of his May, 31<sup>st</sup> invoice detailing services rendered for the month. Board Members had no questions or comments.

**RECESS**

Trustee Bernal made a motion, seconded by Trustee McCormack, to recess the meeting and enter into Executive Session at 10:59A.M. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**RECONVENE**

Trustee Rauschenberger made a motion, seconded by Trustee Bernal, to reconvene the Board of Trustees meeting at 12:15 P.M. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT**

Trustee Rauschenberger made the motion, seconded by Trustee Bernal, to approve the Executive Director's Employment Agreement with the changes of 20 weeks of severance instead of 52 and the eliminated the residency requirement. Additionally, Trustee Rauschenberger proposed a base salary increase to \$170,000 and a onetime \$10,000 bonus for this year. Attorney Schefflow commented that he will update the agreement and bring it back with these changes to the next meeting.

There were no further questions or discussion, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**MOTION TO APPROVE – ATTORNEY APPOINTMENT FOR FY 2019**

Trustee Rauschenberger made the motion, seconded by Trustee Bernal, to have Attorney Schefflow provide his updated written retainer and hourly billing agreement to the next meeting for approval.



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There were no further questions or discussion, President Corn called for a vote. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

**ADJOURN**

Trustee Bernal made a motion, seconded by Trustee McCormack, to adjourn the June 18, 2018 Board of Trustees meeting at 12:21 P.M. Next meeting is scheduled for 9:00 A.M. July 16, 2018. Ayes, Trustees Corn, Bernal, Rauschenberger, McCormack. Nays, none.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer